

(b) a nucleotide sequence encoding a polypeptide comprising a conservatively substituted variant of the polypeptide of SEQ ID NO:110 ;

(c) a nucleotide sequence comprising SEQ ID NO:15;

(d) a nucleotide sequence comprising silent substitutions in the nucleotide sequence of (c);

(e) a nucleotide sequence which hybridizes under stringent conditions to a polynucleotide comprising a nucleotide sequence of one or more of: (a), (b), (c), or (d); and

(f) a nucleotide sequence comprising the complementary nucleotide sequence of a nucleotide sequence of (a), (b), (c), (d), or (e).

2. (Reiterated) The transgenic plant of claim 1, further comprising a constitutive, inducible, or tissue-active promoter operably linked to said nucleotide sequence.

3. (Reiterated) The transgenic plant of claim 1, wherein the plant is selected from the group consisting of: soybean, wheat, corn, potato, cotton, rice, oilseed rape, sunflower, alfalfa, sugarcane, turf, banana, blackberry, blueberry, strawberry, raspberry, cantaloupe, carrot, cauliflower, coffee, cucumber, eggplant, grapes, honeydew, lettuce, mango, melon, onion, papaya, peas, peppers, pineapple, spinach, squash, sweet corn, tobacco, tomato, watermelon, rosaceous fruits, and vegetable brassicas.

4. (Amended) An isolated or recombinant polynucleotide comprising a nucleotide sequence selected from the group consisting of:

(a) a nucleotide sequence encoding a polypeptide comprising SEQ ID NO:110;

(b) a nucleotide sequence encoding a polypeptide comprising a conservatively substituted variant of the polypeptide of SEQ ID NO:110 ;

(c) a nucleotide sequence comprising NO:15;

(d) a nucleotide sequence comprising silent substitutions in the nucleotide sequence of (c);

(e) a nucleotide sequence which hybridizes under stringent conditions to a polynucleotide comprising a nucleotide sequence of one or more of: (a), (b), (c), or (d); and

(f) a nucleotide sequence comprising the complementary nucleotide sequence of a nucleotide sequence of (a), (b), (c), (d), or (e).

5. (Reiterated) The isolated or recombinant polynucleotide of claim 4, further comprising a constitutive, inducible, or tissue-active promoter operably linked to the nucleotide sequence.

6. (Reiterated) A cloning or expression vector comprising the isolated or recombinant polynucleotide of claim 4.
7. (Reiterated) A cell comprising the cloning or expression vector of claim 6.
8. (Reiterated) A transgenic plant comprising the isolated or recombinant polynucleotide of claim 4.
13. (Amended) A method for producing a modified plant having a modified trait, the method comprising : (i) transforming a plant with the isolated or recombinant polynucleotide of claim 4, thereby producing a modified plant, and (ii) selecting the modified plant for a modified trait thereby providing the modified plant with a modified trait, wherein the trait so modified is that of increased resistance to fungal pathogens.
14. (Amended) The method of claim 13 wherein the polynucleotide is the polynucleotide of claim 4.
25. (Amended) A plant comprising altered expression levels of the isolated or recombinant polynucleotide of claim 4.
27. (Amended) A plant lacking a nucleotide sequence of the polynucleotide of claim 4.

REMARKS

Amendments to the specification correct typographical errors; and provide a correct Application No. for a priority provisional application that had been claimed at the time of filing. No new matter is added to the specification by any of these amendments. Entry of these amendments is respectfully requested.

A copy of the above amendments to the specification showing where changes were made is appended to this communication and is titled "Version to Show Changes Made".

The Examiner is respectfully reminded that, upon allowance of the claims to the above products, the process for making and using same, i.e., the claims of Groups I, V, VI, and IX, must be rejoined. See the Commissioner's Notice in the Official Gazette of March 26, 1996, entitled "Guidance on Treatment of Product and Process Claims in light of In re Ochiai, In re Brouwer and 35 U.S.C. § 103(b)" which sets